

State of Wisconsin

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
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Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: June 27, 2023

Re: s. 16.515/16.505(2), Stats. Request

Attached is a copy of a request from the Department of Administration, received June 27, 2023, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Department of Justice.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Monday, July 17, 2023**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

HM:MB:jm



STATE OF WISCONSIN

DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary

Date: June 27, 2023

To: The Honorable Howard Marklein, Co-Chair
Joint Committee on Finance

JUN 27 2023
St. Finance

The Honorable Mark Born, Co-Chair
Joint Committee on Finance

From: Kathy K. Blumenfeld, Secretary
Department of Administration

DS
KB

Subject: s. 16.515/16.505(2) Request(s)

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u> <u>AMOUNT</u>	<u>FTE</u>	<u>2022-23</u> <u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(2)(ko)	Wisconsin justice information sharing program				1.0

As provided in s. 16.515, the request(s) will be approved on July 19, 2023, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Kirsten Grinde at (608) 266-1353, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

CORRESPONDENCE/MemorandumState of Wisconsin
Department of Administration

Date: June 21, 2023

To: Brian Pahnke

From: Michael R. Schmidt

Subject: Section 16.505(2) Request

Attached is a s. 16.505(2) request analysis for your approval and processing. Listed below is a summary of each item:

DOA RECOMMENDATION:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u> <u>AMOUNT</u>	<u>FTE</u>	<u>2022-23</u> <u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(2)(ko)	Wisconsin justice information sharing program				1.0

AGENCY REQUEST:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u> <u>AMOUNT</u>	<u>FTE</u>	<u>2022-23</u> <u>AMOUNT</u>	<u>FTE</u>
DOJ 20.455(2)(ko)	Wisconsin justice information sharing program				1.0

BP APPROVAL 



STATE OF WISCONSIN

DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Brian Pahnke, Administrator

Date: June 21, 2023

To: Kathy K. Blumenfeld, Secretary
Department of Administration

From: Michael R. Schmidt
Executive Policy and Budget Analyst

Subject: Request under s. 16.505(2) from the Department of Justice for the Creation of a 1.0 FTE Program Revenue-Service Permanent Position for the Bureau of Justice Information and Analysis.

Request:

The Department of Justice requests the creation of a 1.0 FTE program revenue-service permanent position in the Wisconsin justice information sharing program appropriation under s. 20.455(2)(ko) to implement data collection and reporting requirements related to the execution of search warrants, as provided in 2021 Wisconsin Act 183.

Revenue Sources for Appropriation(s):

The program revenue-service appropriation for the Wisconsin justice information sharing program under s. 20.455(2)(ko) is funded by revenue from the justice information surcharge.

Background:

In March 2022, the Governor signed Act 183 into law. It requires the Department of Justice to collect certain information regarding search warrants and submit a report to the Legislature no later than July 1 of each year. Particularly, the report must include certain information regarding the execution of warrants involving unannounced entry (also referred to as "no-knock warrants"). The bill was part of a legislative package with provisions recommended by the Subcommittee on Law Enforcement Policies and Standards, a subcommittee of the Assembly Speaker's Task Force on Racial Disparities that was created in August 2020.

The requested position would be assigned to the department's Bureau of Justice Information and Analysis, which is part of the Division of Law Enforcement Services. The bureau is responsible for evaluating grant-funded programs, managing the state's Uniform Crime Reporting program and expanding access to criminal justice data. According to PeopleSoft, as of June 14, 2023, the bureau has 16.0 FTE all funds permanent and project positions (2.3 FTE GPR positions, 10.6 FTE federal positions and 3.1 FTE program revenue-

Kathy Blumenfeld, Secretary
Page 2
June 21, 2023

service positions).¹ The bureau's positions are supported by federal grant funds and state funding based on the project or activity.

The Wisconsin justice information sharing program appropriation is funded by revenue from the justice information surcharge. The surcharge is \$21.50 for certain court proceedings. The surcharge is collected by the Department of Administration and credited to the justice information fee receipts appropriation under s. 20.505(1)(id). Surcharge funds are distributed to appropriations based on the respective amounts in the schedule under s. 20.005(3) in the Department of Justice, Department of Administration, Department of Corrections, Department of Military Affairs, and \$6 of every \$21.50 is transferred to the Supreme Court's court information systems appropriation under s. 20.680(2)(j). In addition, \$700,000 is transferred annually from the justice information fee receipts appropriation to the general fund.

The current expenditure authority for the Wisconsin justice information sharing program appropriation is \$892,400 in fiscal year 2022-23, as provided in the schedule under s. 20.005(3). According to PeopleSoft, as of June 13, 2023, the appropriation has \$120,536 of remaining available budget for fiscal year 2022-23. The department does not request additional expenditure authority for the appropriation.

Analysis:

According to the department, it is unable to comply with Act 183's warrant reporting requirements without additional staff. The department's fiscal estimate for Act 183 indicated that it would need 1.5 FTE GPR permanent positions to collect, analyze and report on the data to be collected under Act 183. The additional implementation responsibilities would be absorbed by bureau management and a limited term employee, which would address the 0.5 FTE position identified in the fiscal estimate. Because there would be ongoing duties involving collecting, reviewing and resolving data errors along with training and outreach to submitting agencies, the department requests a permanent position. This would correlate to the 1.0 FTE position identified in the fiscal estimate.

According to the department, it did not request additional position authority in its agency request under s. 16.42 for the 2023-25 biennium because it was consulting with law enforcement agencies on effectively incorporating Act 183's reporting requirements into existing reporting systems and getting concurrence from the Wisconsin Department of Transportation on the data collection plan. This collection plan involves incorporating relevant data elements under Act 183 into existing law enforcement data collection systems operated by the Department of Transportation.

The department's request would be supported by the Wisconsin justice information sharing program appropriation, which is funded by revenue from the justice information surcharge. The justice information fee receipts appropriation is in overdraft. Figure 1 is a table from the Department of Administration's fiscal year 2021-22 program revenue unsupported overdraft plan submitted under s. 16.513(3), and illustrates the annual collections to, transfers from and resulting cash balance of the justice information fee receipts appropriation under s. 20.505(1)(id).

¹ After the department submitted this request, 2.0 FTE federal project positions were approved for the bureau pursuant to s. 16.54(8). They will end on September 30, 2025.

Kathy Blumenfeld, Secretary
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June 21, 2023

Figure 1. Justice Information Fee Receipts Appropriation Cash Balance

	Justice Information Fee Receipts Cash Balance				
	2017-18	2018-19	2019-20	2020-21	2021-22
Beginning Balance	<u>\$(3,471,171)</u>	<u>\$(4,500,137)</u>	<u>\$(5,179,793)</u>	<u>\$(5,952,154)</u>	<u>\$(7,870,727)</u>
Collections	<u>\$ 8,759,672</u>	<u>\$ 8,794,822</u>	<u>\$ 8,215,514</u>	<u>\$ 7,023,259</u>	<u>\$ 7,223,773</u>
Transfers:					
General Fund	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000
Appropriation Accounts	<u>9,356,000</u>	<u>9,369,600</u>	<u>8,310,800</u>	<u>8,336,300</u>	<u>8,652,497</u>
Total	\$ 10,056,000	\$ 10,069,600	\$ 9,010,800	\$ 9,036,300	\$ 9,352,497
Less: Reversions	<u>(267,362)</u>	<u>(395,121)</u>	<u>(222,926)</u>	<u>(94,468)</u>	<u>(87,778)</u>
Net Transfers	<u>\$ 9,788,638</u>	<u>\$ 9,674,479</u>	<u>\$ 8,787,874</u>	<u>\$ 8,941,832</u>	<u>\$ 9,264,719</u>
Net Collections	<u>\$(1,028,966)</u>	<u>\$(879,657)</u>	<u>\$(572,361)</u>	<u>\$(1,918,574)</u>	<u>\$(2,040,946)</u>
Ending Balance	<u>\$(4,500,137)</u>	<u>\$(5,379,793)</u>	<u>\$(5,952,154)</u>	<u>\$(7,870,727)</u>	<u>\$(9,911,674)</u>

In addition, the justice information fee receipts appropriation has, through the end of May 2023, collected \$6,516,154 in fiscal year 2022-23. Under current law, \$700,000 will be transferred from the appropriation to the general fund in the fiscal year. Based on the amounts in the schedule under s. 20.005(3), \$8,652,900 will be transferred in fiscal year 2022-23 from the justice information fee receipts appropriation to the applicable appropriation accounts.

Regarding the overdraft and transfers from the justice information fee receipts appropriation during the 2021-23 biennium, it should be noted that:

At the June 10, 2021, executive session regarding the 2021-23 biennial budget, the Joint Committee on Finance approved the conversion of \$1,000,000 PR annually in justice information system fee-funded [Treatment Alternatives and Diversion] grants to \$1,000,000 GPR annually. This item was inadvertently excluded from the Committee's substitute amendment. As a result, the approved funding conversion was not included in . . . Act 58.²

Similarly, to address the overdraft, the Governor's 2023-25 executive budget recommended converting \$1,000,000 of Treatment Alternatives and Diversion Program funding each year from justice information system surcharge funding to GPR. In its biennial budget action on June 8, 2023, the Joint Committee on Finance passed Motion 93, which included this recommendation.

The department requests a 1.0 FTE program revenue-service permanent position under s. 16.505(2), but it does not request supplemental funding under s. 16.515. According to the request, there is sufficient funding in the appropriation to support the requested position, initial start-up costs for the new data collection and reporting functionality and a limited term employee. The department estimates that the annual salary, fringe benefits, and related supplies and services costs associated with the position would be \$116,500. The department anticipates that the position would be classified as a program and policy analyst or a research analyst.

² Legislative Fiscal Bureau, 2021-23 Wisconsin State Budget, Summary of Provisions 169 (Aug. 2021).

Kathy Blumenfeld, Secretary

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June 21, 2023

Historically, as a sum certain annual appropriation, the appropriation has had minimal to no remaining balance at the close of the fiscal year (e.g., fiscal years 2020-21 and 2021-22). According to the department, the appropriation supports data improvement projects and other investments in the bureau. To support its request, the bureau has prioritized funding for this requested position above those activities and would pursue state and federal grant funding for them in the future.

According to the department, there are no vacant positions funded by the Wisconsin justice information sharing program appropriation under s. 20.455(2)(ko), or by other appropriations, that could be reassigned to this project. For instance, positions are fully assigned to grant-funded activities, the mandatory Uniform Crime Reporting data collection and analysis, and to use of force reporting as provided in 2021 Wisconsin Act 50. Also, other positions in the Division of Law Enforcement Services are assigned to state or federal grant administration, data collection and reporting, or activities funded by fee revenues that cannot be reassigned and would result in processing delays.

While the requested position would allow the department to implement its data collection and reporting duties under Act 183, it is possible that approving the request may potentially limit the ability of the overdraft in the justice information fee receipts appropriation to be eliminated.

Recommendation:

Approve the request.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

Josh Kaul
Attorney General

Room 114 East, State Capitol
PO Box 7857
Madison WI 53707-7857
(608) 266-1221
TTY 1-800-947-3529

February 11, 2023

SENT VIA EMAIL (briand.pahnke@wisconsin.gov)

Brian D. Pahnke, Administrator
Division of Executive Budget and Finance
Department of Administration
101 E. Wilson Street, 10th Floor
Madison WI 53702

Re: Request for Program Revenue-Funded Position Authority

Dear Administrator Pahnke:

Pursuant to Wis. Stat. § 16.505(2), the Department of Justice respectfully requests the creation of a 1.0 full-time equivalent (FTE) permanent position funded by program revenue from the Justice Information Fee, appropriated for the development and operation of a justice information system in the Wisconsin Justice Information Sharing Program appropriation under Wis. Stat. § 20.455(2)(ko). As explained below, the position is necessary to implement data collection and reporting required by 2021 Wisconsin Act 183 relating to the execution of search warrants.

Background

2021 Wisconsin Act 183, enacted in March 2022, requires the Department of Justice to report to the Legislature annually on the issuance and execution of search warrants by law enforcement agencies. Under the statute, the department must collect and issue a report on the following information from law enforcement agencies in Wisconsin:

1. The total number of search warrants that were issued and denied.
2. Of the search warrants that were issued:
 - The number that requested explicit authorization of an unannounced entry, separately reporting the number that explicitly authorized and declined to authorize an unannounced entry.
 - Of those authorized for unannounced entry, the numbers executed with and without an unannounced entry.

3. Of the search warrants that declined to authorize an unannounced entry that were executed with an unannounced entry:
 - The number of warrants for which a return under Wis. Stat. § 968.17 was accompanied by a written inventory of property taken as provided under Wis. Stat. § 968.17 (1).
 - The number of warrant executions that resulted in great bodily harm, as defined in Wis. Stat. § 939.22 (14), to any person, or the death of any person.
 - The age, race, and gender of any primary suspect who was present at the warrant's execution.
4. Of the search warrants that explicitly authorized an unannounced entry:
 - The number of search warrants that were executed with an announced entry and an unannounced entry.
 - The type of suspected crime for which it was sought.
5. Of the search warrants that explicitly authorized an unannounced entry and were executed with an unannounced entry:
 - The number of warrants for which a return under Wis. Stat. § 968.17 was accompanied by a written inventory of property taken as provided under Wis. Stat. § 968.17 (1).
 - The number of warrant executions that resulted in great bodily harm, as defined in Wis. Stat. § 939.22 (14), to any person, or the death of any person.
 - The age, race, and gender of any primary suspect who was present at the warrant's execution.

The Bureau of Justice Information and Analysis (BJIA) in the department's Division of Law Enforcement Services conducts research, analysis and program evaluation in support of evidence-based criminal justice policies and programs. The department charges the costs of BJIA positions to federal grants and state funding sources based on actual work hours and activities. Of the 14.0 FTE permanent and project positions in the bureau, 8.6 FTE positions are supported by federal grant awards and cannot be reassigned to state-mandated reporting activities without turning back federal funding, likely resulting in the cancelation or delay of the federally-funded project. The remaining 5.4 FTE positions are assigned to other state-mandated and priority analytical and reporting projects, including the Treatment Alternatives and Diversion (TAD) program, use of force data collection and analysis, and Uniform Crime Reporting (UCR) activities not eligible for federal funding. The department cannot comply with the warrant reporting mandate under

2021 Wisconsin Act 183 while also completing other mandated reporting activities without additional staffing resources.

In a fiscal estimate for the bill that became 2021 Wisconsin Act 183, the department estimated that complying with the reporting requirement would require 1.5 FTE positions, plus additional funding for a new data collection and reporting system. As noted in the plan section below, the department will be able to staff the 0.5 FTE position using limited-term employees but the remaining 1.0 FTE position must be a permanent employee to provide the level of expertise and consistency of analysis necessary to comply with a permanent, ongoing data collection and statutory reporting requirement.

Plan for Data Collection and Reporting

Following the passage of the bill, staff in the Division of Law Enforcement Services and BJIA have consulted with law enforcement agencies and other criminal justice data experts to help ensure the mandated reporting can be completed efficiently, accurately and sustainably by state law enforcement agencies. The preferred plan is to incorporate the new required data elements into existing law enforcement data collection systems operated by the Department of Transportation (DOT), simplifying the reporting for law enforcement agencies at potentially lower cost than establishing another stand-alone data collection and reporting system. Although the figures are preliminary, the Department of Justice currently estimates the cost to add these elements to existing systems at \$100,000, compared to \$400,000 for the development and implementation of a stand-alone system. Given the timeline to complete the system changes and user training, BJIA also has suggested starting the data collection more quickly using DOJ's REDCap data collection tool, and then transitioning to the DOT reporting system when ready.

The project plan BJIA has developed for this statutorily-mandated data collection and reporting appears in a chart on the following page. To this point, the Department of Justice has completed as much of the project as is possible without additional staffing resources. The next step in the implementation plan is building the data collection tool in REDCap while continuing implementation planning with the Department of Transportation on a permanent data collection solution. BJIA will then need to pilot and test the data collection tool and provide training and technical assistance to law enforcement agencies on data submission. This work exceeds what can be done without a full-time dedicated employee. If this position request is approved and filled, BJIA plans to complete the first annual report in early 2024.

ID	Task Name	Start	Finish	Duration	2023												2024		
					Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		
1	Position Announcement and Hire	3/1/2023	4/10/2023	29d															
2	Onboard to Program	4/10/2023	4/28/2023	15d															
3	Develop REDCap Data Collection Tool	5/1/2023	6/30/2023	45d															
4	Develop Data Collection User Manual	6/15/2023	7/28/2023	32d															
5	Pilot and Test Data Collection Tool	7/3/2023	7/28/2023	20d															
6	Make REDCap Updates from Pilot	7/10/2023	8/4/2023	20d															
7	Launch REDCap Data Collection Tool	8/7/2023	8/11/2023	5d															
8	Onboard Agencies/Agency Communication	8/7/2023	3/29/2024	170d															
9	Collect/Review Data	8/7/2023	3/29/2024	170d															
10	Provide Agency Guidance/Support/ Training	8/7/2023	3/29/2024	170d															
11	Develop Dashboard	12/4/2023	1/26/2024	40d															
12	Complete Annual Report	2/12/2024	3/29/2024	35d															
13	Begin TraCS Form Development with DOT	3/29/2024	8/30/2024	111d															

Revenue Source

The Wisconsin Justice Information Sharing Program appropriation is funded by revenues received from the Justice Information Fee of \$21.50 collected by the clerk of court for certain civil actions and appeals, and transferred from the Department of Administration to the Department of Justice appropriation under Wis. Stat. § 20.455(2)(ko).

The directed use of the appropriation is the development and operation of a justice information system, and is used by the department to support the state-mandated justice data collection and reporting operations that are not eligible for federal funding, including state Uniform Crime Reporting and use of force data reporting.

In the fiscal year 2021-23 biennium, there is \$892,200 appropriated under Wis. Stat. § 20.455(2)(ko) in each year, of which \$357,200 is for the salary and fringe of the 3.1 FTE positions supported by the appropriation. The remaining \$535,000 of supplies and services funding support costs related to those positions, including allocated rent and insurance, software licensing and IT equipment and services. The funding is used to support state-related reporting system implementation and enhancements for projects like public access to interactive dashboards, the Comprehensive Outcome, Research and Evaluation (CORE) system and the use of force reporting system.

Brian D. Pahnke, Administrator
February 11, 2023
Page 5

The department proposes funding an additional 1.0 FTE position from this appropriation beginning in FY23, together with the one-time and ongoing costs of implementing an additional data reporting system, as required under 2021 Wisconsin Act 183.

- The annual salary, fringe and related supplies and services costs for the position are estimated to be \$116,500 annually, but will total less than \$30,000 in FY23 given the time needed to recruit and hire for the position.
- Although the project proposal is still in development, the department recommends reserving \$50,000 to cover costs incurred by the Department of Transportation in the development of a new data reporting form, and \$50,000 for the Department of Justice to develop the database, analytical tools and reporting formats and dashboards.

There is sufficient funding in the appropriation to support the 1.0 FTE permanent position, initial start-up costs for the new data collection and reporting functionality and a limited-term employee, although it will result in less funding being available for future enhancements to existing state criminal justice data systems or to implement new or revised data collection programs.

Thank you for your review and consideration of this request. Should you have questions or require additional information, please contact Michelle Gauger, Director of the Bureau of Budget and Finance, directly at (608) 267-6714 or gaugermc@doj.state.wi.us.

Sincerely,



Eric J. Wilson
Deputy Attorney General

EJW:MCG:alm

cc: Tracy Williamson, Department of Administration

State of Wisconsin



2021 Assembly Bill 329

Date of enactment: **March 17, 2022**
Date of publication*: **March 18, 2022**

2021 WISCONSIN ACT 183

AN ACT *to create* 165.25 (20) of the statutes; **relating to:** reporting the use of no-knock entry in the execution of a search warrant.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 165.25 (20) of the statutes is created to read:

165.25 (20) REPORT ON EXECUTION OF SEARCH WARRANTS AT PHYSICAL PREMISES. No later than July 1 of each year, submit a report to the legislature under s. 13.172 (2) on the issuance and execution of search warrants at physical premises by law enforcement agencies in the prior calendar year. The department shall collect any relevant information from law enforcement agencies in order to prepare the report by providing all reporting officials with instructions that specify the nature of the information required, the time it is to be forwarded, the method of classifying it, and any other matters that facilitate collection and compilation of the relevant information, and all persons in charge of law enforcement agencies and other criminal and juvenile justice system agencies shall supply the department of justice with the information requested. The report shall include, by jurisdiction, all of the following information for the preceding calendar year:

(a) The total number of search warrants that were issued and denied.

(b) Of the search warrants that were issued, the number that requested explicit authorization of an unannounced entry, and of those that requested explicit autho-

rization of an unannounced entry, the number that explicitly authorized and the number that declined to authorize an unannounced entry.

(c) Of the search warrants that declined to authorize an unannounced entry, the number of search warrants that were executed with an announced entry and the number that were executed with an unannounced entry.

(d) Of the search warrants that declined to authorize an unannounced entry that were executed with an unannounced entry, all of the following information:

1. The number of warrants for which a return under s. 968.17 was accompanied by a written inventory of property taken as provided under s. 968.17 (1).

2. The number of warrant executions that resulted in great bodily harm, as defined in s. 939.22 (14), to any person, or the death of any person.

3. The age, race, and gender of any primary suspect who was present at the warrant's execution.

(e) Of the search warrants that explicitly authorized an unannounced entry, the number of search warrants that were executed with an announced entry and the number that were executed with an unannounced entry.

(f) Of the search warrants that explicitly authorized an unannounced entry, the type of suspected crime for which it was sought.

(g) Of the search warrants that explicitly authorized an unannounced entry and were executed with an unannounced entry, all of the following information:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

1. The number of warrants for which a return under s. 968.17 was accompanied by a written inventory of property taken as provided under s. 968.17 (1).

2. The number of warrant executions that resulted in

great bodily harm, as defined in s. 939.22 (14), to any person, or the death of any person.

3. The age, race, and gender of any primary suspect who was present at the warrant's execution.

Fiscal Estimate - 2021 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 21-2627/1	Introduction Number AB-0329	
Description reporting the use of no-knock entry in the execution of a search warrant		
Fiscal Effect <div style="display: flex;"> <div style="flex: 1;"> State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 45%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> </div> </div> <div style="flex: 1; padding-left: 20px;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div>		
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 45%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> Fund Sources Affected <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </div> <div style="width: 35%;"> Affected Ch. 20 Appropriations 20.455(2)(a) </div> </div>		
Agency/Prepared By DOJ/ Michelle Gauger (608) 267-6714	Authorized Signature Christopher J McKinny (608) 264-6367	Date 6/8/2021

Fiscal Estimate Narratives

DOJ 6/8/2021

LRB Number	21-2627/1	Introduction Number	AB-0329	Estimate Type	Original
Description reporting the use of no-knock entry in the execution of a search warrant					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires the Department of Justice to implement the collection of specified information from law enforcement agencies related to search warrants and to annually publish a report of the collected information by July 1 of each year.

In order to implement the data collection system, the department will require \$400,000 in the first year and \$125,000 annually to establish, configure and maintain a data collection system. This estimate assumes that the department will be able to work cooperatively with other state agencies to add this functionality to existing systems, like the Department of Transportation TRACS system. Data collection system costs will increase if a stand-alone system is necessary.

The department will require one full-time equivalent position to establish, implement and administer the collection of data and one halftime position to analyze, report and publish the data.

There is no standard format for search warrants. Unless the Legislature requires law enforcement agencies to use a standardized format for search warrants, law enforcement agencies will need to assign staff to manually review search warrant records to complete the data reporting. This will result in an indeterminate but substantial increase in local government costs.

Long-Range Fiscal Implications

The Department of Justice will incur ongoing costs to maintain the data collection system and for 1.5 full-time equivalent positions to collect, analyze and report the collected data.

Law enforcement agencies will incur costs for staff to manually collect and review search warrants to complete the data reporting.

Fiscal Estimate Worksheet - 2021 Session

Detailed Estimate of Annual Fiscal Effect

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 21-2627/1	Introduction Number AB-0329	
Description reporting the use of no-knock entry in the execution of a search warrant		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): \$400,000 to acquire, configure and implement a data collection system.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$120,000	\$
(FTE Position Changes)	(1.5 FTE)	
State Operations - Other Costs	135,000	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$255,000	\$
B. State Costs by Source of Funds		
GPR	255,000	
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	State	Local
NET CHANGE IN COSTS	\$255,000	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		
Authorized Signature		Date
DOJ/ Michelle Gauger (608) 267-6714		Christopher J McKinny (608) 264-6367
		6/8/2021